

DEPARTMENT OF JUVENILE JUSTICE
RESIDENTIAL AND CORRECTIONAL FACILITIES
SOUTH REGION

MANAGEMENT REVIEW FORM

TO: Jerry Blanton
RCF- South Region

FROM: Jasir Diab
YSI – Thompson Academy

DATE: 3/03/04

OIG CASE #: 2004-01024

DATE OF INCIDENT: 2/25/04

DATE INCIDENT REPORTED: 2/26/04

SUBJECT: Management Review on:
(Serious Injury requiring outside medical attention)

SYNOPSIS OF INCIDENT/COMPLAINT/ALLEGATION:

At approximately 7:25 pm Youth [REDACTED] and other youth from Hendry Unit were being escorted back to their Unit from the cafeteria. Youth Counselor Michel directed Youth [REDACTED] to throw his cup in the trash. Youth [REDACTED] responded by knocking the cup at Youth Counselor Michel. Youth Counselor Michel directed the youth [REDACTED] to apologize. Youth [REDACTED] told Youth Counselor Michel "Fuck You" and walked towards Youth Counselor Michel with his hands closed. Youth [REDACTED] was grabbed by his wrist but slapped Youth Counselor Michel's hand and pulled away. Youth Counselor Michel used a control technique and transitioned into a hammer lock. Mr. Michel then escorted youth [REDACTED] to the cafeteria wall where he held him for about 30 to 40 seconds. Youth [REDACTED] complied and was released and told by Youth Counselor Michel to rejoin his group. At approximately 9:00 pm on February 25, 2004 committed youth [REDACTED] was transported to Memorial Urgent Care Pembroke Pines. Youth [REDACTED] complained about pain in his left arm after being restrained by Youth Counselor Moise Michel. Youth [REDACTED] was examined by Ithohan Aihie Thompson Academy RN. Medical professionals at Urgent Care determined that he had sustained a fracture to his left elbow at approximately 10:30 pm. Youth [REDACTED] was placed in a cast and released from Urgent Care at approximately 10:55 pm.

FINDINGS:

- Youth [REDACTED] left elbow bone was cracked when he was restrained by Youth Counselor Michel.
- Youth Counselor Michel used a PAR technique not approved by the program the Hammer Lock.
- Youth Counselor Michel admitted when interviewed that he was not trained by YSI on the use of this move and that he was told it was not approved.
- Youth counselor Michel used more force than was needed to handle the situation, and did not call for staff support as he was trained.

CONCLUSION:

Youth [REDACTED] received immediate medical attention for his injuries. The facility initiated an internal investigation. Youth Counselor Michel was placed on Administrative Leave pending the outcome of all investigations. Youth [REDACTED] made a call to the Abuse Hotline on 2-27-04. The OIG was notified that a complaint of abuse was made on the reported B-List Incident. The OIG accepted the call as an A-List reportable incident and assigned a number.

CORRECTIVE ACTION TAKEN:

- Youth Counselor Michel employment was terminated with YSI.
- Staff will receive additional program training on 3/6/04 and 3/7/04.
- Staff were reprimand for not providing sight and sound supervision
- Shift supervisors will increase supervision and security by making unannounced visits to all areas of the facility

Allegation / Classification

Findings

Action

**DEPARTMENT OF JUVENILE JUSTICE
OFFICE OF THE INSPECTOR GENERAL
BUREAU OF INVESTIGATIONS
Incident/Complaint Report Form
Electronic Version for "B" List Reports**

YSI - Thompson Academy	Broward																					
Facility/Program/Office Name	County	O.I.G. Case Number																				
17	South																					
Circuit #	Region	Branch																				
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; padding: 5px;">Reporting Person/Title:</td> <td style="width: 33%; padding: 5px;">Mark Hite / Assistant Facility Administrator</td> <td style="width: 34%; padding: 5px;">Local Telephone #</td> <td style="width: 34%; padding: 5px;">SunCom #</td> </tr> <tr> <td style="padding: 5px;">Contact Person/Title</td> <td style="padding: 5px;">Jasir Diab / Facility Administrator</td> <td style="padding: 5px;">(954) 967-6300</td> <td style="padding: 5px;">N/A</td> </tr> <tr> <td style="padding: 5px;">Date Email Sent</td> <td style="padding: 5px;">12/26/04</td> <td style="padding: 5px;">Time Email Sent</td> <td style="padding: 5px;">12:36 hrs</td> </tr> <tr> <td style="padding: 5px;">Date of Incident</td> <td style="padding: 5px;">12/25/04</td> <td style="padding: 5px;">Time of Incident</td> <td style="padding: 5px;">Approx. 230 hrs</td> </tr> <tr> <td colspan="4" style="padding: 5px;">Specific Place/Location of Occurrence: Cafeteria</td> </tr> </table>			Reporting Person/Title:	Mark Hite / Assistant Facility Administrator	Local Telephone #	SunCom #	Contact Person/Title	Jasir Diab / Facility Administrator	(954) 967-6300	N/A	Date Email Sent	12/26/04	Time Email Sent	12:36 hrs	Date of Incident	12/25/04	Time of Incident	Approx. 230 hrs	Specific Place/Location of Occurrence: Cafeteria			
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Specific Place/Location of Occurrence: Cafeteria																						

*For all juveniles, reporting persons must include either a JJIS # or SSN. SSN is also needed for staff (subjects only) on the following types of incidents: employee arrests and abuse allegations (physical and sexual)

Name of Complainant(s)	Position/Title	Level	SSN/JJIS#	Race/Sex	D.O.B.
Mark A. Hite	Assistant Facility Admin	223-15-6777	B/M	6/13/64	

Name of Victim(s)	Position/Title	Level	SSN/JJIS#	Race/Sex	D.O.B.
██████████	Youth / Committed	6	██████████	B/M	██████████
██████████					
██████████					
Name of Subject(s)	Position/Title	Level	SSN/JJIS#	Race/Sex	D.O.B.
Moise Michel	Youth Counselor	6	590-33-0081	B/M	3/28/67
██████████					
██████████					
Name of Witness(es)	Position/Title	Level	SSN/JJIS#	Race/Sex	D.O.B.
██████████	Committed Youth	6	██████████	B/M	██████████
██████████					
██████████	Committed Youth	6	██████████	W/M	██████████
██████████					
██████████	Committed Youth	6	██████████	B/M	██████████
██████████					

Detailed Background Narrative of Incident/Complaint:

At approximately 7:25 pm Youth █████ and other youth from Hendry Unit were being escorted back to their Unit from the cafeteria. Youth Counselor Michel directed Youth █████ to throw his cup in the trash. Youth █████ responded by kicking the cup at Youth Counselor Michel. Youth Counselor Michel directed the youth █████ to apologize. Youth █████ told Youth Counselor Michel "F--- You" and walked towards Youth Counselor Michel with his hands closed. Youth █████ was grabbed by his wrist but slapped Youth Counselor Michel's hand and pulled away. Youth Counselor Michel used a control technique and transitioned into a hammer lock. Mr. Michel then escorted youth █████ to the cafeteria wall where he held him for about 30 to 40 seconds. Youth █████ complied and was released and told by Youth Counselor Michel to rejoin his group. At approximately 9:00 pm on February 25, 2004 committed youth █████ was transported to Memorial Urgent Care Pembroke Pines. Youth █████ complained about pain in his left arm after being restrained by Youth Counselor Moise Michel. Youth █████ was examined by Ithohan Aihle Thompson Academy RN. Medical professionals

at Urgent Care determined that he had sustained a fracture to his left elbow at approximately 10:30 pm. Youth [REDACTED] was placed in a cast and released from Urgent Care at approximately 10:55 pm.

Immediate Action Taken/Current Status of Situation:

Youth [REDACTED] was given immediate medical care. An internal incident report, Par report and witness statements were collected. Youth [REDACTED] was transported to Memorial Urgent Care Pembroke Pines where he received professional medical attention. Youth Counselor Michel used the Par technique a Hammer lock during the incident which is not approved for use by YSI Thompson Academy staff. Youth Counselor Michel was placed on Administrative suspension pending the outcome of the facility investigation.

Individuals/Agencies Notified:

Name	Contact Person	Date	Time
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Law Enforcement (LE)

If LE contacted:

DJJ Regional Director	Darryl Olson	2/26/04	5:30 pm
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DJJ Security Chief

DJJ Contract Monitor	Jerry Blanton	2/26/04	4:20 pm
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Abuse Registry (abuse operator name and operator #)

State Attorney

Judge

Circuit Manager

JPO

Other	Eric Gallon (YSI Corp.)	2/26/04	9:13 pm
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For Escapes

(A) Committing Offense(s);

(B) Home City and County;

(C) Law Enforcement Home City and County Notified? Yes No

(D) Staff/Juvenile Ratio: 1-8.5

For Arrests of Employees

(A) Did Arrest Occur During Official Work Time? Yes No

(B) Did Arrest Occur While Employee in State/Provider Vehicle? Yes No

(C) Was Employee in State/Provider Uniform? Yes No

(D) Was the State/Provider ID Misrepresented? Yes No

(E) How Long Has Person Been Employed? _____

(F) What is Employee's Disciplinary History?

The Residential & Correctional Facilities South Region Office received the following report. This tracking sheet is provided to you, to have the following identified information and documents submitted to your Program Monitor in conjunction with the submission of the Management Review for this Incident.

Note: Management Review must be submitted within five days after the incident.

Program Name:

THOMPSON ACADEMY

OIG Number:

0004-01024

Date of Incident:

2-05-04

Victim(s):

[REDACTED]

Subject(s):

MDIGE MICHAEL

Brief Description of Incident:

WCHM ALLEGED ABUSE DURING
A RESTRAINT THAT CAUSED A
FRACTURED BONE IN HIS RIGHT
ELBOW

(CSA) Child Safety Assessment Number:

Abuse/Neglect Data Form:

PLEASE INCLUDE W/ MANAGEMENT
REVIEW

(IDS) Investigation Decision Summary Report

Regional Comments for follow up response:

Please follow up on

PSD investigation work

ALO/AM 3/1/04

3/1/2004

→ Mgmt Review
is due 3/3/2004 - please follow
up on above comment.

Thank You! Copied 3-3-04

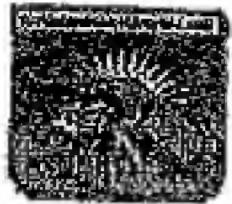
3/4 - Mgmt rev. submitted →

→ Case still open per CPI-1119 on
charge on Admin. less pending
closure of CPI investigation

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Management Review/ Substantiated Findings/

Corrective Action:



**DEPARTMENT OF JUVENILE JUSTICE
OFFICE OF THE INSPECTOR GENERAL**

District: 10 Broward

Case Number: 200401024

Entered By: DISHMANCI

Circuit: Seventeenth Circuit
Description: Residential

Det. Region: South

Facility/Program/Office: Thompson Academy
Level 6

Reporting Person (s):

Phone # **SUNCOM #**
54) 967-6300

Contact Person:

(954) 967-6300

Date of Report: February 27, 2004

Time of Report: 2:36 PM

Date of Incident: February 25, 2004

Time of Incident: 7:25 PM

Specific Place of Occurrence: Dining Hall

Complainant(s) Name _____ **Level** _____ **Status** _____ **Local #** _____ **SUNCOM #** _____

Alleged Victim(s) Name _____ Level _____ Status _____ Level 4 _____ SENSITIVE _____

Committed Juvenile(s) [REDACTED] to [REDACTED] for [REDACTED] () [REDACTED] [REDACTED]

Alleged Subject(s) Name _____ Level _____ Status _____ Date _____

Michelle Moise 9 SP 53

Youth Care Worker I (3/28/67, B/Male)

Alleged Witness(es) Name _____ Level _____ Status _____ Date _____



**DEPARTMENT OF JUVENILE JUSTICE
OFFICE OF THE INSPECTOR GENERAL
Incident/Complaint Report Form**

District: 10 Broward

Case Number: 200401024

Entered By: DISHMANCJ

Background Information:

The victim was being escorted from the dining hall and was told by staff to throw a cup away. The victim took the cup and kicked it at staff. Staff then told the victim to apologize and the victim responded by staying "fuck you". The victim then walked towards staff with his fists balled up and was then grabbed by his wrists by staff. The victim then slapped staffs hands away and then pulled his body away. Staff then used a control technique and then performed a hammerlock position. Staff then positioned the victim up against the wall for about 30 to 40 seconds. The victim complied and was told by staff to return to his group. The victim complained of pain to his left arm after being restrained by staff and was taken to medical for initial treatment.

Immediate Action Taken:

The victim was transported to Urgent Care of Pembroke Pines for further treatment. The victim had x-rays and was diagnosed as having a fractured bone in his right elbow as a result of the restraint. On 2/27/04, the victim contacted the AR to alleged physical abuse by staff. The AR accepted the case for investigation (Carlos #5136). This incident was originally e-mailed into the hotline as a 'B' list incident and has since been upgraded to an 'A' list, since the victim contacted the AR. The subject has been placed on administrative leave pending the outcome of the internal investigation.

CLASSIFICATION SECTION - This incident as reported is classified as identified below:



DEPARTMENT OF JUVENILE JUSTICE
OFFICE OF THE INSPECTOR GENERAL
Incident/Complaint Report Form

District: 10 Broward

Case Number: 200401024

Entered By: DISHMANCJ

ASSIGNMENT SECTION - This incident is logged and assigned as identified below:

- A. This case has been assigned to an IG Specialist for:
 - Investigation
 - Inquiry
- B. This case has been assigned for Special Review. A Special Review Team will be appointed by the Secretary to determine appropriate action.
- C. This case has been assigned for Administrative Review and any appropriate actions deemed necessary by management.
 - Administrative Review
 - Program Review
- D. This case has been assigned or referred to an outside agency for review or investigation.
- E. This case has been filed for information purposes.
- F. This case has been assigned to the Sheriff's Office (Internal Affairs Unit) for investigation.
- G. This case has been assigned for HomeSafenet tracking.
- H. This case has been assigned for Arrest tracking.
- I. This case was originally assigned for HomeSafenet tracking; however, it was reassigned for investigation/inquiry or administrative review based upon indicators of abuse, excessive corporal punishment, etc. being found by the Abuse Registry.
- J. Other.
- K. Special Instructions - Please submit the following:

Assignment Type	Person Assigned	Assigned Date	Completion Date
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Note: Management Review must be submitted within five days after the incident.

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OIG Number:

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Date of Incident:

2-05-04

Subject(s):

MDIGE MICHAEL

Brief Description of Incident:

Victim Alleged Abuse During
A RESTRAINT THAT CAUSED A
FRACTURED BONE IN HIS RIGHT
ELBOW

(CSA) Child Safety Assessment Number:

Abuse/Neglect Data Form:

PLEASE INCLUDE w/ MANAGEMENT
REVIEW

(IDS) Investigation Decision Summary Report

Regional Comments for follow up response:

Please follow up on
BSO investigation and

4/10/04 3/1/04
3/10/2004

Per my - Management Review
is due 3/13/2004 - please follow
up on above comment.
Mark Derrin UP 3/12/04

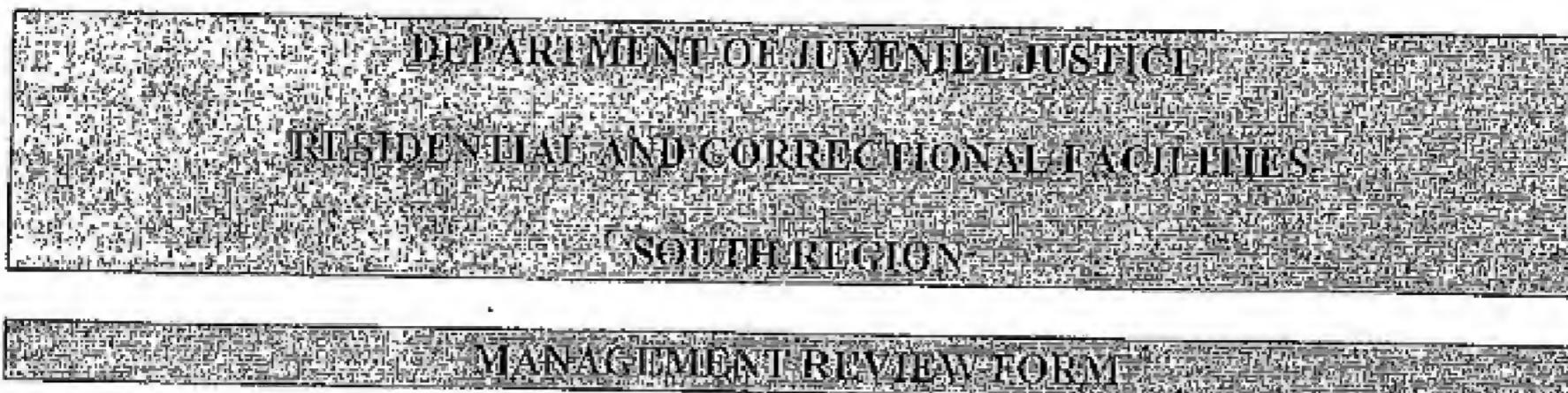
3/4- Mgmt rev. submitted -
- Case still open per CPI - 11:19 am
(stop on Admin. Team quickly
We are w/ CPI investigation

3/10/04 - 2:25 pm - 9:12 pm
Spoke to Mr. Hale - will
be submitted by COB today -

3/11/04 - submitted - P

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Management Review/ Substantiated Findings/
Corrective Action:



TO: Jerry Blanton
RCF- South Region

FROM: Jasir Diab
YSI – Thompson Academy

DATE: 3/03/04

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DATE INCIDENT REPORTED: 2/26/04

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FINDINGS:

- Youth [REDACTED] left elbow bone was cracked when he was restrained by Youth Counselor Michel.
- Youth Counselor Michel used a PAR technique not approved by the program the Hammer Lock.
- Youth Counselor Michel admitted when interviewed that he was not trained by YSI on the use of this move and that he was told it was not approved.
- Youth counselor Michel used more force than was needed to handle the situation, and did not call for staff support as he was trained.

CONCLUSION:

Youth [REDACTED] received immediate medical attention for his injuries. The facility initiated an internal investigation. Youth Counselor Michel was placed on Administrative Leave pending the outcome of all investigations. Youth [REDACTED] made a call to the Abuse Hotline on 2-27-04. The OIG was notified that a complaint of abuse was made on the reported B-List Incident. The OIG accepted the call as an A-List reportable incident and assigned a number.

CORRECTIVE ACTION TAKEN:

- Youth Counselor Michel employment was terminated with YSI.
- Staff will receive additional program training on 3/6/04 and 3/7/04.
- Staff were reprimanded for not providing sight and sound supervision
- Shift supervisors will increase supervision and security by making unannounced visits to all areas of the facility

<u>Allegation / Classification</u>	<u>Findings</u>	<u>Action</u>
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<u>Allegation / Classification</u>	<u>Findings</u>	<u>Action</u>
Abuse allegation accepted by Abuse registry where outside medical Required	Inappropriate force used by staff	Staff termination